

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID CARLTON,)	
)	
Plaintiff,)	8:05CV293
)	
v.)	
)	
UNION PACIFIC RAILROAD, and)	ORDER
UNION PACIFIC CORPORATION,)	
)	
Defendants.)	
_____)	

Currently before the court is defendants' brief in support of partial summary judgment, plaintiff's brief in opposition, and defendants' reply brief. However, there is no pending motion for to dismiss that relates to any of these briefs. Accordingly, the court shall allow defendants five days from the date of this order to file a motion to dismiss. All briefs will be stricken if defendants fail to file the appropriate motion.

THEREFORE, IT IS ORDERED that defendants have five days from the date of this order to file an appropriate motion in support of their briefs to dismiss.

DATED this 8th day of May, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge